

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



November 15, 1999

ALL COUNTY LETTER NO. 99-100

TO: ALL COUNTY WELFARE DIRECTORS
ALL PUBLIC AND PRIVATE ADOPTIONS AGENCIES
ALL CDSS ADOPTION DISTRICT OFFICE

SUBJECT: ADOPTION BY UNMARRIED COUPLES: LIMITED CONSENT AND
LIMITED RELINQUISHMENT ADOPTION

This letter rescinds All-County Letter (ACL) No. 95-13 (dated March 11, 1995) "Adoptions by Unmarried Couples/Limited Consent Adoptions" and the policy described in ACL No. 87-80 (dated June 15, 1987). The Department has concluded that the policy set forth in ACL No. 87-80 constitutes an underground regulation inconsistent with the Administrative Procedure Act.

Effective immediately, decisions regarding adoption placements and recommendations regarding adoption petitions will be made on a case-by-case basis. Licensed adoption agencies and the Department will no longer deny applications, withhold consent to an adoption petition, or recommend disapproval of an adoption petition based solely on the applicants' or petitioners' marital status.

A petition or an application for limited consent or limited relinquishment adoption, in which a birth parent, or adoption parent, simultaneously retains parental rights and consents, agrees, or designates the adoptive parent of his or her child by an unrelated adult, is to be reviewed on its merits pursuant to the California Family Code.

If you have any questions, please call the Adoptions Policy Bureau at (916) 322-4228 or (CALNET) 492-4228, or e-mail rmaloney@dss.ca.gov.

Sincerely,

***Original Document Signed By
Lawrence B. Bolton on 11/15/99***

LAWRENCE B. BOLTON
Deputy Director
Legal Division